

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 25 2008

OFFICE OF  
MANAGING DIRECTOR

Lawrence Rogow, Chairman  
World Television of Washington, LLC  
4164 Meridian  
Suite 102  
Bellingham, WA 98226

Re: World Television of Washington, LLC  
FY 2007 Regulatory Fee  
KBCB(TV), Bellingham, Washington  
Fee Control No. 050908883503100

Dear Mr. Rogow:

This is in response to your request filed on October 2, 2007 (*Letter*), on behalf of World Television of Washington, LLC (WTW), licensee of KBCB(TV), Bellingham, Washington, for a partial refund of the fiscal year (FY) 2007 regulatory fee. You request a refund reflecting the difference between the regulatory fee that Station KBCB(TV) paid for FY 2007 (\$19,450.00) and the amount charged to UHF television stations in markets 51 through 100 under section 1.1153 of the Commission's rules (\$6,300.00), *i.e.*, \$13,150.00. Our records reflect that you paid the \$19,450.00 regulatory fee. For the reasons stated herein, we grant your request.

KBCB(TV) is in the Seattle-Tacoma Designated Market Area (DMA), which is the 14<sup>th</sup> largest market.<sup>1</sup> You recite that KBCB(TV)'s "signal cannot be received over-the-air in either Seattle or Tacoma" and that the station's "Grade B service area can only be received by 817,227 people within the Seattle-Tacoma DMA[, which means that the] . . . signal reaches less than 20 percent of the Seattle-Tacoma DMA populace."<sup>2</sup> You assert that because "there are 2.62 persons per television households within the Seattle-Tacoma DMA and 311,919 television households within the Grade B service area of KBCB, the [station] . . . is effectively serving a market equivalent to DMA market size number 94."<sup>3</sup>

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<sup>1</sup> See *Television & Cable Factbook 2007*, No. 75, A-1 and A-2455 (2007) (*Factbook*). We note that the "Nielsen DMA, TV Household information and [television market] rank[ings in the 2007 edition of the *Factbook*] are based on the 2006 Nielsen U.S. Television Household Estimates." *Id.* at A-1.

<sup>2</sup> *Letter* at 1. You attach a map that depicts KBCB(TV)'s Grade B coverage area with a population underlay. See *Letter*, Attachment A.

<sup>3</sup> *Letter* at 2; see also *Factbook* (the Colorado Springs-Pueblo, Colorado DMA, which is the 94<sup>th</sup> largest market, serves 316,360 Nielsen DMA television households).

In deciding whether to reduce regulatory fees for a television station below the fees assessed for stations in the relevant DMA, the Commission has considered factors such as whether the station is located outside the principal city's metropolitan area and whether it provides a Grade B signal to a substantial portion of the market's metropolitan area.<sup>4</sup> Stations that meet these criteria and request fee reductions will be assessed regulatory fees based on the number of households they serve; stations that serve fewer television households than are in the top 100<sup>th</sup> market will be assessed the regulatory fee for remaining market stations.<sup>5</sup>

For purposes of the FY 2000 regulatory fee, the Office of Managing Director (OMD) found that because KBCB(TV) is located outside the Seattle-Tacoma, Washington metropolitan area and its Grade B signal (encompassing 79,600 television households) does not serve a substantial portion of the Seattle-Tacoma, Washington metropolitan area (*citing the 2000 Television & Cable Factbook*), KBCB(TV) should be treated as a remaining market station.<sup>6</sup> Similarly, for purposes of the FYs 2001, 2002, and 2003 regulatory fees, OMD found that circumstances had not changed since the *FY 2000 Letter Decision* so as to affect KBCB(TV)'s qualification for a regulatory fee reduction.<sup>7</sup> OMD therefore found that KBCB(TV) should be treated as a remaining market station for those years as well. With respect to the FYs 2004, 2005, and 2006 regulatory fees, OMD found that KBCB(TV) is located outside the principal city's metropolitan area in its assigned DMA, does not provide a Grade B signal to a substantial portion of its market's metropolitan area, serves households comparable to those served by stations in the 94<sup>th</sup> DMA, and therefore should be treated as comparable to a UHF commercial station in markets 51 through 100 and subject to the corresponding reduced fee.<sup>8</sup>

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<sup>4</sup> *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12763 (1995).

<sup>5</sup> *Id.*

<sup>6</sup> See Letter from Mark Reger, Chief Financial Officer, (CFO), OMD, FCC, to Elizabeth E. Goldin, Wiley, Rein & Fielding (Feb. 8, 2001) (also noting that KBCB(TV) is not a network affiliate and stating that WTW is under a continuing obligation to report to the Commission any circumstances that could affect KBCB(TV)'s qualification for regulatory fee reduction) (*FY 2000 Letter Decision*).

<sup>7</sup> See Letter from Mark A. Reger, CFO, OMD, FCC, to Eve J. Klindera, Esq., Wiley, Rein & Fielding (Nov. 27, 2001) (refund of FY 2001 regulatory fees); Letter from Mark A. Reger, CFO, OMD, FCC, to Paul Koplin, President, WTW (Jan. 9, 2004) (refund of FY 2002 regulatory fees); Letter from Mark A. Reger, CFO, OMD, FCC, to Brooke Temple, Vice President, WTW (Jan. 9, 2004) (refund of FY 2003 regulatory fees). In each case, OMD also noted that KBCB(TV) is not a network affiliate.

<sup>8</sup> See Letter from Mark A. Reger, CFO, OMD, FCC, to Lawrence Rogow (July 7, 2007) (refund of FY 2006 regulatory fee); Letter from Mark A. Reger, CFO, OMD, FCC, to Lawrence Rogow (Mar. 2, 2006) (refund of FY 2005 regulatory fee); Letter from Mark Stephens, Acting CFO, OMD, FCC, to Lawrence Rogow (June 15, 2006) (refund of FY

For purposes of the FY 2007 regulatory fee, we find that because KBCB(TV) is located outside the principal city's metropolitan area in its assigned DMA and does not provide a Grade B signal to a substantial portion of its market's metropolitan area, the station has met the Commission's standards, as set forth above, for reducing the station's regulatory fee. In the absence of Nielsen data reflecting the number of television households covered by KBCB(TV), our review of the data you have submitted reflects that the station's Grade B contour covers 311,919 television households and thus serves households comparable to those served by stations in the 95<sup>th</sup> DMA.<sup>9</sup> Under the circumstances, we find that it is appropriate that KBCB(TV) be treated as comparable to a UHF commercial television station in markets 51 through 100 and be subject to a \$6,125.00 regulatory fee for FY 2007. We therefore grant station KBCB(TV) a refund of the FY 2007 regulatory fee in the amount of \$13,150.00.

A check made payable to the maker of the original check and drawn in the amount of \$13,150.00 will be provided at the earliest practicable time. If you have any questions concerning this letter, please call the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark Stephens  
Chief Financial Officer

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2004 regulatory fee). In each case, OMD also noted that KBCB(TV) is not a network affiliate.

<sup>9</sup> See *Factbook* at A-4 (the Waco-Temple-Bryan, Texas DMA, which is the 95<sup>th</sup> largest market, serves 311,690 Nielsen DMA television households). Given that the station's Grade B contour covers 311,919 television households, you erroneously state that the station serves households comparable to those served by stations in the 94<sup>th</sup> DMA. See *supra* note 3.

**world  
television**

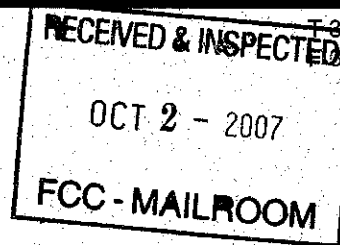
**KBCB TV 24**

9792 8482  
8794

0709179365897957

4164 Meridian  
Suite 102  
Bellingham, WA  
98226 USA

September 28, 2007



T 360.647.8842  
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VIA FEDEX 2<sup>ND</sup> DAY DELIVERY

Office of the Managing Director  
Attn: Regulatory Fee Waiver/Reduction Request  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Room 1-A625  
Washington, D.C. 20554

0709179365897957

Re: Request for Partial Refund of Regulatory Fees for Fiscal Year 2007  
World Television of Washington, LLC  
KBCB, Channel 24, Bellingham, Washington  
Facility Id. No. 53586

BK OCT 02 2007

Dear Office of the Managing Director:

As it has over the past few years, World Television of Washington, LLC ("WTW"), licensee of KBCB, Channel 24 at Bellingham, Washington, hereby requests a reduction in its regulatory fees pursuant to "FY2000 Mass Media Regulatory Fees," Public Notice 20318, August 2, 2000.

The Seattle-Tacoma Designated Market Area ("DMA") is a Top 25 DMA and stations in this market are required to pay \$19,450.00 as their annual regulatory fee in the 2007 Fiscal Year. The Seattle-Tacoma DMA includes 4,432,000 persons. (BIA's Television Year Book 2005).

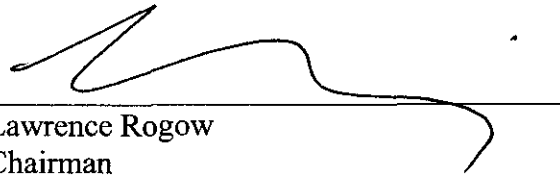
In the implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, the Commission concluded that stations that "lack network affiliations, and are located outside of the principle city's metropolitan area and do not provide a grade B signal to a substantial portion of the market's metropolitan areas....will be assessed a fee based on the number of television households served, and will be charged the same as stations serving markets within the same number of television households." 10 FCC Rcd 12759 (1995), paras. 21-22.

KBCB is licensed to Bellingham, Washington, which is in the far northern end of the Seattle-Tacoma DMA. Due to this location, the KBCB signal cannot be received over-the-air in either Seattle or Tacoma. In fact, as illustrated in the attached map of KBCB's Grade B contour (See Attachment A), KBCB's Grade B service area can only be received by 817,227 people within the Seattle-Tacoma DMA. In other words, the KBCB over-the-air signal reaches less than 20% of the Seattle-Tacoma DMA populace.

Accordingly, WTW believes that circumstances dictate that the KBCB regulatory fees be adjusted in accordance with the Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, 10 FCC Rcd 12759 (1995), paras. 21-22. as there are 2.62 persons per television household within the Seattle-Tacoma DMA and 311,919 television households within the Grade B service area of KBCB, the Licensee is effectively serving a market equivalent to DMA market size number 94. Stations in markets 51-100 pay a regulatory fee of \$6,300, which is \$13,150 less than what WTW paid in 2007 as indicated in Attachment B.

WTW therefore requests a refund of \$13,150.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lawrence Rogow', is written over a horizontal line.

Lawrence Rogow  
Chairman  
World Television of Washington, LLC

2 Attachments.